

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10

11 RUYAN INVESTMENT
12 (HOLDINGS) LIMITED,
a British Virgin Islands company,

13 Plaintiff,

14 v.

15 VAPOR CORP., a Nevada
Corporation; LOAD AND FOLD dba
16 MAGIC PUFFER, a New Jersey
Corporation; GIL CYPHERT, an
17 individual dba NU 1S; JEFFREY
ORTH, an individual dba JANTY
18 USA; JANTY USA, LLC, a Texas
Limited Liability Company; CN
19 CREATIVE LIMITED, a United
Kingdom company; INTELICIG
20 USA LLC, a Georgia Limited Liability
Company; and DOES 1-10, inclusive,

21 Defendants.
22

23 AND RELATED COUNTERCLAIMS.
24
25
26
27
28

Case No. CV 11-06268 GAF (FFMx)

**ORDER GRANTING STIPULATED
CONSENT JUDGMENT AND
PERMANENT INJUNCTION**

1 By agreement and consent to the terms set forth herein by the parties hereto
2 Plaintiff Ruyan Investment (Holdings) Limited (“Ruyan”) and Defendants Jeffrey
3 Orth, an individual dba Janty USA, and Janty USA, LLC (“Orth and Janty”)
4 (collectively, the “Parties”) as set forth in the Stipulated Judgment and Permanent
5 Injunction between the Parties—and full resolution of all claims having been
6 reached, this Court hereby, ORDERS, ADJUDGES AND DECREES THAT:

7 1. This Court has jurisdiction over the Parties and the subject matter of
8 this action, and venue is proper in the Central District of California.

9 2. The Parties have agreed that:

10 a. Ruyan is the owner of the entire right, title, and interest in and to
11 United States Patent No. 7,832,410 (“the ’410 Patent”), and all of the
12 claims thereof, are valid and enforceable; and

13 b. Orth and Janty sold electronic cigarettes that directly infringed one or
14 more claims of the ’410 Patent.

15 3. By stipulation of the Parties, a Permanent Injunction is hereby entered
16 in the present case, permanently restraining and enjoining Defendants Orth and
17 Janty, its agents and employees, and all other persons and entities in active concert
18 or participation with them who receive actual notice hereof by personal service or
19 otherwise, from infringing, either directly or indirectly, or inducing infringement of
20 or contributorily infringing any unexpired, valid claim of the ’410 Patent, and from
21 making, having made, importing, using, selling or offering to sell infringing e-
22 cigarettes, including but not limited to the Janty DURA.

23 4. This Injunction shall be deemed to have been served upon Defendant
24 Orth and Janty at the time of its execution by the Court.

25 5. The Court shall retain jurisdiction over Orth and Janty to enter such
26 further orders as may be necessary or appropriate to implement and enforce the
27 provisions of this Injunction.
28

1 6. Pursuant to Federal Rule of Civil Procedure 54(b), this Order
2 constitutes a final judgment in this matter as to Janty and Orth.

3 7. Each side shall bear its own fees and costs of suit.

4 IT IS SO ORDERED.

5
6 DATED: January_6, 2012



HON. GARY A. FEES